

09-19-05

1PW 09/17/03

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO SEP 16 2005 TRANSMITTAL FORM (to be used for correspondence after initial filing) PATENT & TRADEMARK OFFICE	Application Number	10/600,217
	Filing Date	June 20, 2003
	First Named Inventor	Eberhard Grunschloss
	Art Unit	1723
	Examiner Name	Tony G. Soohoo
Total Number of Pages in This Submission	Attorney Docket Number	8962-122/DVA

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks: The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Christopher M. Brock
		Reg. No.	27313
Signature	<i>Christopher M. Brock</i>		
Date	September 16, 2005		

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Christopher M. Brock	Express Mail Label No.	EV 717 345 035 US (9/16/2005)
Signature	<i>Christopher M. Brock</i>	Date	September 16, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EV 717 345 035 US



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/600,217
Filing Date: June 20, 2003
Applicant: Eberhard Grunschloss
Group Art Unit: 1723
Examiner: Tony G. Soohoo
Title: Single Screw Extruder
Attorney Docket: 8962-122/DVA

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE

Sir:

This communication is being submitted in response to the Office Action dated August 19, 2005.

Claims 19-21 of the present application stand rejected under 35 U.S.C. §102(b) as being anticipated by the newly cited patent to Christiano et al., No. 6,139,179.


The present application claims priority under 35 U.S.C. §119 to German Application, No. 199 28 870.4 filed June 24, 1999. The cited Christiano et al. patent has a filing date of September 3, 1999. Accordingly, it is respectfully submitted that the Christiano et al. patent is not prior art to the present application. Therefore, the

outstanding rejection under 35 U.S.C. §102(b) is improper and should be withdrawn. As this is the only outstanding rejection, the present application is therefore believed to be in condition for allowance. Favorable reconsideration is respectfully solicited.

Additionally, applicant notes that the claim to foreign priority in this application has yet to be acknowledged in either the initial Office Action dated September 1, 2004 nor in the second Office Action dated August 19, 2005. Correction is respectfully solicited.

Respectfully submitted,

Dated: September 16, 2005

By: 
Christopher M. Brock
Reg. No. 27313

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

CMB/jb

